

Leonard R. Anderson
DAVIS, RANDALL
ANDERSON & MATHIS, P.C.
405 W. 36th Avenue, Ste. 200
Anchorage, Alaska 99503
Telephone: (907) 561-4420
Fax: (907) 562-7888
E-mail: leonard@davis2.com
ABA No. 9411092

Attorneys for Plaintiff
NINILCHIK CHARTERS, LLC

Frank A. Pfiffner
HUGHES BAUMAN PFIFFNER
GORSKI & SEEDORF, LLC
3900 C Street, Suite 1001
Anchorage, AK 99503
Phone: (907) 263-8241
Fax: (907) 263-8320
E-mail: fap@hbplaw.net
ABA No. 7505032

Attorneys for Defendant Caterpillar Inc.
(erroneously served and sued as Caterpillar, Inc.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

NINILCHIK CHARTERS, LLC,

Plaintiff,

vs.

CATERPILLAR, INC., a Delaware

Ninilchik Charters, LLC v. Caterpillar, Inc.
Proposed Order Modifying Scheduling and Planning Order
Case No. 3:04-cv-250 (TMB)
(8367-2/249687)

corporation,

Defendant.

Case No. 3:04-cv-250 (TMB)

PROPOSED ORDER MODIFYING SCHEDULING AND PLANNING

ORDER

After reviewing the Stipulation submitted by plaintiff NINILCHIK CHARTERS, LLC and defendant CATERPILLAR INC., the Scheduling and Planning Order in this matter is amended as follows:

(1) All discovery commenced in time to be completed by November 31, 2006 (“discovery close date”), and all associated disclosure deadlines shall travel with the discovery close date.

IT IS SO ORDERED.

DATED at Anchorage, Alaska, this ____ day of August, 2006.

By: _____

TIMOTHY M. BURGESS
United States District Judge

Certificate of Service

I hereby certify that on July 31, 2006, a copy of the foregoing Proposed Order was served electronically on:

Leonard R. Anderson
Davis, Randall, Anderson, & Mathis, PC
405 W. 36th Avenue, Suite 200
Anchorage, AK 99503-5872

s/ Frank A. Pfiffner